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# FAX

Date August 18, 2005

To Examiner Ngoclan Thi Mai

Of PTO Group Art Unit 1742

Fax 571-273-1246

From Abraham J. Rosner and Keiko K. Takagi

Subject Terminal Disclaimer

Our Ref Q78484 Appln No 10/729,914

Conf No 3295 Inventors Kazumi NAITO, et al.

Pages 4 (including cover sheet)

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This fax filing includes:

1. This cover sheet
2. Terminal Disclaimer (2 pages)
3. Submission of Terminal Disclaimer (in duplicate)

### **CERTIFICATION OF FACSIMILE TRANSMISSION**

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Ngoclan Thi Mai at the Patent and Trademark Office on August 18, 2005 at 571-273-1246.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "AR", is written above the name Abraham J. Rosner.

Abraham J. Rosner  
Registration No. 33,276

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q78484

Kazumi NAITO, et al.

Appln. No.: 10/729,914

Group Art Unit: 1742

Confirmation No.: 3295

Examiner: Ngoclan Thi Mai

Filed: December 9, 2003

For: NIOBIUM POWDER FOR CAPACITOR, SINTERED BODY USING THE POWER AND  
CAPACITOR USING THE SAME

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. The  
USPTO is directed and authorized to charge the statutory fee of \$130.00 to Deposit Account No.  
19-4880. A duplicate copy of this Submission is attached.

Respectfully submitted,



Abraham J. Rosner  
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Telephone: (202) 293-7060  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 18, 2005

**PATENT APPLICATION  
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In re application of

Docket No: Q78484

Kazumi NAITO, et al.

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CAPACITOR USING THE SAME

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, SHOWA DENKO K.K., represents that the petitioner, SHOWA DENKO K.K. is the owner of the entire right, title and interest of U.S. Application No. 10/483,297, filed on January 9, 2004 for NIOBIUM POWDER, SINTERED BODY THEREOF AND CAPACITOR USING THE SAME by virtue of an Assignment from all of the inventors thereof executed on November 6, 2003, recorded on January 9, 2004 at Reel 015660, Frame 0929, now issued as U.S. Patent 6,855,184 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/729,914 by virtue of an Assignment from all of the inventors thereof executed on April 9, 2001, recorded on April 23, 2001, at Reel 011729, Frame 0069.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/729,914 which would extend beyond the expiration of the full

**Terminal Disclaimer**  
**U.S. Patent Application Ser. No.: 10/729,914**

statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,855,184, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/729,914 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,855,184 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/729,914, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/729,914 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/729,914 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,855,184 in the event that U.S. Patent 6,855,184 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney of record.

Respectfully submitted,



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